

- AS
Cathy
47. (New) A method of applying a patch to skin, comprising:
applying a patch to the skin for a predetermined length of time, wherein
the patch comprises the composite structure as defined in claim 1.
48. (New) A method of cleaning skin, comprising:
contacting the skin with the composite structure as defined in claim 1.
49. (New) A method of treating hair, comprising:
contacting the hair with the composite structure as defined in claim 1.
50. (New) A composite structure according to claim 1, wherein the adhesive
matrix comprises an active agent reservoir, and wherein the composite structure may
be re-wetted at least once.--

REMARKS

Claims 1, 5-30, and 35-50 are pending in the application. By this Amendment, claims 2-4 and 31-34 have been canceled, claims 1, 5, 7-11, 14-23, 25-28, and 35 have been amended, and new claims 36-50 have been added.

In the Office Action, claims 31-34 were rejected under 35 U.S.C. § 101. This rejection has been rendered moot since claims 31-34 have been deleted. Accordingly, the rejection of claims 31-34 under § 101 should be withdrawn.

Claims 1-35 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Some of the claims have been amended or canceled to overcome the rejection under § 112, second paragraph. Particularly, the term "such as," the trade name "ORGASOL," and the cascading ranges have been either deleted from the claims or placed in additional dependent claims, and claims 9, 11, and 14 have been re-written in an alternative format. With regard to the term "substantially inert" in claims 4 and 10,

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

one of ordinary skill in the art would understand what is meant by this terminology. In particular, one of ordinary skill in the art would be able to appreciate the breadth of this language after considering its context as it relates to the description of the invention. Similarly, one of ordinary skill in the art would readily understand the terms "healing agents" and "nourishing agents," especially in light of the description of the invention. For example, "healing agents" and "nourishing agents" may be active agents that may perform such healing/nourishing when associated with a composite structure used to treat, make-up, or clean a person's skin.

Claims 1, 2, 5-9, 11, and 14-18 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,026,552 to Gueret et al. (hereinafter "Gueret"), and these claims were also rejected under 35 U.S.C. § 103(a) over Gueret. In addition, claims 3, 4, 10, 19-30, and 35 were rejected under 35 U.S.C. § 103(a) over Gueret in view of U.S. Patent No. 5,585,111 to Peterson; claims 3, 4, and 10 were rejected under § 103(a) over Gueret in view of U.S. Patent No. 4,781,924 to Lee; and claims 12 and 13 were rejected under § 103(a) over Gueret in view of U.K. Patent Publication GB 2,307,862 (hereinafter GB '862"). Applicant respectfully traverses these rejections.

Regarding independent claim 1, Gueret does not disclose or suggest a composite structure including, *inter alia*, at least one adhesive matrix between at least two layers, the two layers being "permanently" bonded to the adhesive matrix. Gueret discloses a composite material including a support sheet 1, an upper protective sheet 5, and a gel 4 and mesh 3 sandwiched between the sheets 1 and 5. The sheets 1 and 5 (which Applicant believes the Examiner has alleged as being layers) are not permanently bonded to the gel 3. To the contrary, Gueret discloses that one or more of

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

the sheets are removable. Col. 6, lines 47-49. Therefore, Gueret does not disclose or suggest the composite structure recited in claim 1.

Peterson, Lee, and GB '862 fail to overcome the above-noted deficiencies of Gueret, and are not cited for those teachings. Accordingly, the § 102(b) and § 103(a) rejections of independent claim 1 should be withdrawn.

For reasons similar to those set forth above in connection with claim 1, the cited art does not disclose or suggest the features of independent method claim 27. Therefore, the § 103(a) rejection of claim 27 should also be withdrawn. Claims 5-26, 28-30, and 35-50 depend from either claim 1 or 27 and are therefore allowable for at least the same reasons claims 1 and 27 are allowable.

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

Applicant respectfully requests reconsideration of this application, withdrawal of the claim rejections, and timely allowance of the pending claims.

If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicant's undersigned attorney at 202-408-4252.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17, which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 15, 2002

By: 

Jay A. Stelacone
Reg. No. 42,168

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Version With Markings to Show Changes Mad

1. (Amended) A composite structure for at least one of treating, making up, [or] and cleaning [the skin or the hair, the structure] a surface region, the composite structure comprising:

at least two layers, at least one of the two layers being permeable to a solvent; and

at least one adhesive matrix [based on a permanent adhesive and present] between the two [support] layers, [at least one of which is permeable to a solvent,] the adhesive matrix comprising a permanent adhesive, the two [support] layers being permanently bonded to the adhesive matrix, the adhesive matrix containing at least one active agent that is soluble in said solvent [and possibly a filler],

wherein the composite structure is configured so that [the nature and the quantity of] when the composite structure is wetted by the solvent, the active agent [agent(s) and/or the filler being selected to make it possible, when the composite structure is wetted by the solvent, for the active agent(s) to be] is released from the adhesive matrix and [to diffuse] diffuses towards the surface [to be treated] region.

5. (Amended) A composite structure according to claim 1, wherein said solvent [is] comprises water.

7. (Amended) A composite structure according to claim 1, wherein the matrix [includes one or more] comprises at least one moisture-absorbing [compounds] compound.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

8. (Amended) A composite structure according to claim 1, wherein the adhesive matrix contains 0.2% to 60% by weight of a moisture-absorbing compound [, and preferably 0.5% to 40%].

9. (Amended) A composite structure according to claim 1, wherein the adhesive matrix includes at least one moisture-absorbing compound [selected] chosen from [the following list:] polyacrylates[;], silicas[;], cotton fibers[;], starches[;], alginates[;], calcium carbonates[;], magnesium[;], viscose[;], cellulose[;], and freeze-dried substances.

10. (Amended) A composite structure according to claim 1, wherein the adhesive matrix [has one or more] comprises at least one substantially inert [substances such as microbeads or a powder of an inert compound, in particular the polyamide powder known under the name ORGASOL] substance.

11. (Amended) A composite structure according to claim 1, wherein the active [agent(s) is/are selected] is chosen from [the following list:] vitamin C[;], vitamin A[;], vitamin F[;], glycerin[;], laponite[;], wetting agents[;], collagen[;], salicylic acid[;], tio acid[;], caffeine[;], aromatic essential oils[;], coloring agents[;], anti-oxidants[;], free radical scavengers[;], moisturizers[;], depigmenting agents[;], liporegulators[;], anti-acne agents[;], antidandruff agents[;], anti-aging agents[;], softeners[;], antiwrinkle agents[;], keratolitic agents[;], anti-inflammatory agents[;], fresheners[;], healing agents[;], vascular protectors[;], antibacterial agents[;], antifungal agents[;], antiperspirants[;], deodorants[;], skin conditions[;], anesthetics[;], immunomodulators[;], and nourishing agents.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

14. (Amended) A composite structure according to claim 1, wherein the adhesive matrix [is based on] comprises a permanent adhesive [selected from the following list: adhesive based on] comprising one of vinyl[; on], PVA, [or] PVP[; on], pseudo-latex[; on], an acrylic [polymers; on polyurethanes] polymer, a polyurethane[;], and [on] a latex [elastomers] elastomer.

15. (Amended) A composite structure according to claim 1, [including a support layer constituted by] wherein at least one of the two layers comprises a non-woven [cloth] fabric.

16. (Amended) A composite structure according to claim 1, [having] wherein the at least two [outer support] layers [that] are permeable to the solvent.

17. (Amended) A composite structure according to claim 16, wherein said [support] at least two layers have at least one of different roughnesses, different porosities, [or] and different thicknesses so as to enable two different types of application to be performed depending on [which] a face [is] of the layer selected by the user for application.

18. (Amended) A composite structure according to claim 1, including an impermeable [support] layer.

19. (Amended) A composite structure according to claim 1, [including two juxtaposed or superposed] wherein the composite structure comprises at least two adhesive matrices of identical compositions, [that are identical or different] the at least two adhesive matrices being one of juxtaposed and superposed.

20. (Amended) A composite structure according to claim 19, wherein said at least two adhesive matrices are stuck to each other and include different active agents.

21. (Amended) A composite structure according to claim 1, comprising a [stack of the following] superposition of layers comprising, in [this] order[:], a first support layer[:], a first adhesive matrix containing at least one active agent[:], a second support layer[:], and a second adhesive matrix essentially covered by a removable protective film.

22. (Amended) A composite structure according to claim 1, comprising a [stack of the following] superposition of layers comprising, in [this] order[:], a first support layer[:], a first adhesive matrix containing at least one active agent[:], a second support layer[:], a second adhesive matrix containing at least one active agent[:], and a third support layer, the second support layer being impermeable and the first and third support layers being permeable, the first and second adhesive matrices containing different active agents.

23. (Amended) A composite structure according to claim 1, comprising a [stack of the following] superposition of layers comprising, in [this] order[:], a first support layer[:], a first adhesive matrix[:], a second adhesive matrix[:], and a second support layer.

25. (Amended) A composite structure according to claim 1, [including an] wherein the adhesive matrix [comprising] comprises two juxtaposed regions containing different active agents.

26. (Amended) A composite structure according to claim 25, wherein the adhesive matrix is a first adhesive matrix, and wherein the structure further [including] includes a second adhesive matrix comprising two juxtaposed regions containing different active agents, [operationally constituted by] the active agents [other than]

contained in the second adhesive matrix being different from those of the [first] adhesive matrix.

27. (Amended) A method of manufacturing a composite structure [such as a patch, a disk, or a towelette] for at least one of cleaning, [or treatment purposes] treating, and making up a surface region, the method comprising [the following steps]:

coating a first layer with an adhesive matrix [based on] comprising a permanent adhesive [onto a support layer], said adhesive matrix containing at least one active agent, [and optionally a filler, the nature and the quantity of the active agent(s) and/or of the filler being selected to enable the active agent(s) to be] the active agent being released when the composite structure is wetted by a solvent; and

assembling together the [support] coated first layer [coated in this way in the adhesive matrix] with a second [support] layer such that the adhesive matrix is sandwiched between the [two support layers which are] first layer and the second layer, the first layer and the second layer being permanently bonded together by the adhesive matrix.

28. (Amended) A method according to claim 27, [wherein] further comprising coating the second [support] layer [is coated] on one face [in] with a second adhesive matrix.

30. (Amended) A method according to claim 27, wherein a large quantity of [support] layers coated in adhesive matrices containing predetermined active agents are manufactured separately, and wherein the various [support] layers coated in this way are assembled together to make up a range of composite structures presenting different combinations of active agents.

35. (Amended) A pile of composite structures, comprising at least two composite structures as defined in claim 1, [each composite structure having at least one adhesive matrix disposed between two support layers,] one of [its support] the two layers of each composite structure having an adhesive face in contact with [the underling adhesive] an underlying composite structure and having an extension enabling [it] the pile of composite structures to be taken hold of by a user.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com